

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TAMARA A. PELOSI, et al.,

Plaintiffs,

-against-

JOSEPH PFEFFER, et al.,

Defendants.

ORDER ADOPTING MAGISTRATE
REPORT AND RECOMMENDATION
03-CV-2362(JS)(JO)

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Appearances:

For Plaintiffs: Edward M. Shaw, Esq.
420 Fifth Avenue
25th Floor
New York, New York 10018

For Defendants: Richard T. Dunne, Esq.
Suffolk County Department of Law
H. Lee Dennison Building
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P.O. Box 6100
Hauppauge, New York 11788

SEYBERT, District Judge:

Upon review of the Report and Recommendation of Magistrate Judge James Orenstein, dated March 1, 2005, to which no party has objected, the Court hereby ADOPTS the Report and Recommendation in its entirety.

Plaintiffs' counsel has advised the Court that he is unable to contact Plaintiff Alexander Mawyer ("Mawyer"). Thus, Judge James Orenstein has recommended that this Court dismiss Mawyer from the instant action, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, for failure to prosecute.

On March 2, 2005, a copy of the Report and Recommendation was served on Mawyer by certified mail, return receipt requested.

Any objections had to be filed within 10 days of service or the right to appeal would be waived. The docket shows that no objections were filed. As no objections to the Report and Recommendations have been filed, all objections are hereby deemed to have been waived.

Accordingly, the Court ADOPTS the Report and Recommendation in its entirety.

SO ORDERED

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York
May 6, 2005